

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF ILLINOIS

BRANDON HAMMAN,

Plaintiff,

v.

The CITY OF CARBONDALE, an Illinois
municipal corporation, JOHN LENZINI,
in his individual and official capacities,
and LENOARD JAMIE SNYDER, in his
individual and official capacities,

Defendants.

Case No. 3:25-cv-00736-NJR

Chief Judge Nancy J. Rosenstengel

PLAINTIFF'S OPPOSITION TO DEFENDANTS' MOTION TO CONTINUE

Plaintiff, Brandon Hamman, by and through undersigned counsel, respectfully opposes Defendants' Motion to Continue Hearing (Doc. 30). In support of said opposition, Plaintiff states as follows:

1. On May 8, 2025, Plaintiff moved for a preliminary injunction on the grounds that Defendants' unlawful restriction of Plaintiff's First Amendment rights poses an ongoing, imminent, and irreparable harm to Plaintiff. (Doc. 8).

2. Plaintiff requested oral argument on the matter on July 2, 2025. (Doc. 21).

3. The same day, Defendants themselves requested an evidentiary hearing on the matter. (Doc. 22).

4. This Court's order of July 7, 2025, scheduled an evidentiary hearing on August 4, 2025. (Doc. 24).

5. Only one week before the scheduled hearing, and nearly three months since Plaintiff requested preliminary relief, Defendants have requested a continuance of said hearing due to counsel's pre-planned unavailability.

6. Plaintiff has suffered a significant infringement on his freedom of speech and religious practice for nearly three months now. Plaintiff would be particularly harmed by any delay of the hearing which would only compound his ongoing, imminent, irreparable harm.

7. Defendants have identified no reason why other counsel of record for Defendants other than Courtney Cox could not present Defendants' position at the forthcoming hearing. *See United States v. Segal*, 432 F.3d 767, 777 (7th Cir. 2005) (affirming the denial of a continuance when two other counsel for a party were available for a hearing and "the hearing was not a surprise, as the district court had informed the parties when it would occur").

8. Plaintiff respectfully opposes Defendants' motion to continue the August 4, 2025, evidentiary hearing.

Submitted: July 28, 2025

Respectfully submitted,

s/ Kelsey E. McGee

Kelsey E. McGee

Christina A. Compagnone

Nathan J. Moelker

Liam R. Harrell

AMERICAN CENTER FOR LAW & JUSTICE

201 Maryland Avenue, NE
Washington, DC 2002
Tel: (202) 641-9160
Fax: (202) 546-9309
Email: kmcgee@aclj.org

Counsel for Plaintiff

CERTIFICATE OF SERVICE

I hereby certify that on the 28th day of July, 2025, a true and correct copy of the above and foregoing document was filed electronically with the Clerk of the Court and was served upon all counsel of record via PACER.

/s/ Kelsey E. McGee

Kelsey E. McGee

AMERICAN CENTER FOR LAW & JUSTICE

201 Maryland Avenue, NE

Washington, DC 2002

Tel: (202) 641-9160

Fax: (202) 546-9309

Email: kmcgee@aclj.org

Counsel for Plaintiff